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DRAFT DECLARATION ON THE IMPROVEMENT OF COOPERATION BETWEEN THE UNITED NATIONS AND REGIONAL ORGANIZATIONS

Working paper submitted by the Russian Federation

The General Assembly,

Referring to the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, the Declaration on the Enhancement of the Effectiveness of the Principle of Refraining from the Threat or Use of Force in International Relations, the Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International Peace and Security and on the Role of the United Nations in this Field and the Declaration on Fact-finding by the United Nations in the Field of the Maintenance of International Peace and Security, and also to their provisions concerning the activities of regional organizations,

Considering the great importance of the role of regional arrangements and organizations and the urgent need to utilize regional organizations in order to solve acute problems of economic and social development, carry out preventive functions and maintain, establish and strengthen peace,

Noting that the challenges to international peace and security at the new stage in international relations require recognition of the need to coordinate the efforts of regional arrangements and organizations with the efforts of the United Nations in the maintenance of international peace and security,

Confirming that, according to the Charter of the United Nations, the basic task of regional organizations is that of dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such regional organizations and

their activities are consistent with the Purposes and Principles of the United Nations,

Recognizing that, in view of the differences in the legal and political status of regional organizations, the forms of their interaction with the United Nations should, as much as possible, be flexible and suited to the needs arising in each specific situation,

Emphasizing that, in preserving the primary responsibility of the Security Council for the maintenance of international peace and security, regional action in terms of decentralization and cooperation with the United Nations might not only lighten the burden borne by the Organization but also promote the strengthening of the principles of joint participation, partnership and democracy in international affairs,

Recognizing that full utilization and further improvement of the structures and mechanisms of regional organizations, their regular consultations with the United Nations and their direct participation in complementary efforts together with the Organization in the framework of joint undertakings could help to strengthen the role of the United Nations in the maintenance of international peace and security and promote the prevention and removal of threats to the peace, the peaceful settlement of disputes and the formation of an international consensus concerning the nature of a given problem and the measures necessary to solve it,

Considering that measures to establish and improve regional security systems, taking into account the distinctive characteristics of individual regions and the new circumstances prevailing, should go hand in hand with efforts by the entire international community to bring about collective security in accordance with the Charter of the United Nations and to create a new world order in which the Organization's strategic role is ensured,

Taking into account the fact that the broadening of cooperation by regional organizations with the United Nations in the fields of economics, science and technology, and environmental protection is important in order to strengthen security and stability in various parts of the world,

Endeavouring to promote awareness among States of the role that regional organizations and their mechanisms can play in taking steps to influence a State with a view to ensuring the defence of human rights, democracy and the supremacy of the law in the event of massive and systematic infringements by the State concerned of its obligations in these fields,

Considering the experience gained and the favourable results achieved by regional and subregional organizations in the peaceful and just settlement of disputes, situations and conflicts in different parts of the world,

Recognizing the need for States, in exercising their sovereignty, to cooperate with relevant regional organizations in creating conditions conducive to predictability, concord, mutual understanding and stability in individual regions and throughout the world,

Solemnly declares that:

1. Regional agencies and arrangements should develop and deepen cooperation and interaction with the General Assembly, the Security Council, the Economic and Social Council and also the Secretary-General in the spirit of Chapter VIII of the Charter of the United Nations, inter alia, through the establishment of contact groups and working groups on questions of common interest, direct participation in discussing and solving problems relating to the social and economic development of regions, the provision of economic, technical and humanitarian assistance and also by promoting peacemaking efforts undertaken at the global and regional levels.

2. Regional agencies and arrangements should, in assisting the United Nations where necessary, endeavour to establish and expand all-round links and contacts with other regional and subregional organizations in order to broaden political, economic, scientific and technical, humanitarian, ecological, cultural and other cooperation and establish conditions of peace and stability in the regions.

3. In accordance with their obligations under the Charter of the United Nations, States should seek to establish functionally and structurally balanced regional organizations capable of taking effective action for the prevention and the durable and peaceful settlement of disputes and conflicts, also within States at their request, the strengthening of trust, mutual understanding and agreement among them; the promotion of arms control and disarmament verification; and the enhancement of cooperation among States.

4. Regional arrangements and organizations should, within their spheres of competence, give due consideration to ways and means of strengthening their functions in the maintenance of peace and security with account taken of the distinctive characteristics of the relevant regions and in accordance with the Charter of the United Nations and, in particular, to the problems of preventive diplomacy, including fact-finding, confidence-building, the provision of good offices and peace-building, and also, where appropriate, peace-keeping.

5. Regional agencies and arrangements should bear their share of the responsibility for maintaining international peace and security and conducting peacemaking activities in cooperation with the United Nations. In this regard, it is desirable for them to establish their own procedures for the peaceful settlement of disputes through negotiations, inquiries, mediation, conciliation, good offices, judicial inquiry and arbitration, and also through the assignment to permanent bodies within regional organizations, to that end, of relevant specific functions.

6. The settlement of disputes with the assistance of regional organs or arrangements should be based on the consistent choice of these specific means by the parties to a local conflict and should seek primarily to apply the procedures for the settlement of disputes established in a specific regional document and only when it proves impossible to resolve the dispute, to resort to the means and mechanisms established within the United Nations.

7. Regional arrangements and organizations should strive to ensure that the modalities of their cooperation with the United Nations are flexible and suited to each individual situation. This involves, in particular, exchanging information and holding consultations in order to strengthen the potential of the United Nations, including its potential in the area of monitoring and early warning, with the participation of the Secretary-General or, where appropriate, of his Special Representative; participating in an observer capacity in the sessions and work of the General Assembly; seconding officials to the United Nations Secretariat; submitting timely and specific requests for the United Nations to take appropriate measures; and being willing to provide the necessary resources.

8. States participating in regional organizations should make every effort to effect a peaceful settlement of local disputes with the help of the regional organizations before referring such disputes to the Security Council.

9. States should seek to establish and improve preventive peacemaking mechanisms in the field of peaceful settlement of disputes and conflicts in accordance with the Charter of the United Nations.

10. States should pay appropriate attention to the establishment and improvement within regional organizations of an extensive network of mechanisms and institutes for the timely compilation, analysis and processing of full and objective information on the relevant facts relating to any dispute or conflict that is developing or has arisen; and should coordinate that network with the work of the Security Council and the Secretary-General in this area.

11. States should consider the possibility of strengthening the preventive functions of regional organizations and of establishing for this purpose procedures and mechanisms capable of identifying and detecting regional disputes and situations at an early stage in their development and taking appropriate measures to prevent their escalation or transformation into military confrontations, and also to ensure close coordination with the preventive efforts of the United Nations.

12. Taking into account the practice of the United Nations and in coordination with the Security Council, regional organizations should consider the possibility of setting up, training and using, within the framework of regional organizations, groups of military and civilian observers, contingents of regional peacemaking forces, police units and civilian experts for the purposes of fact-finding, separating the forces of the antagonists, providing humanitarian and emergency assistance, monitoring compliance with cease-fire and truce agreements and with agreements on disarmament of the antagonists, and maintaining law and order in the event of the outbreak of disorder and confrontations on ethnic, national or religious grounds between States and within countries, at their request or with their agreement.

13. States should seek to agree on and adopt, within the framework of regional organizations, methods to strengthen security, build confidence and limit the level of military confrontation in the region.

14. States should consider the possibility of acceding to all treaties establishing an international legal regime in the field of non-proliferation of weapons of mass destruction, and above all to the Treaty on the Non-Proliferation of Nuclear Weapons; and regional organizations themselves should prevent the proliferation of nuclear weapons.

15. States, within the framework of regional organizations, should promote the development of regional arrangements and agreements on the banning of nuclear tests and of attacks on nuclear facilities and in this respect, acting in good faith, they should enter into negotiations for a ban on nuclear testing.

16. The Security Council, taking into account the varying mandates, spheres of operation and composition of regional arrangements and organizations, should encourage and, where appropriate, support such regional efforts as are undertaken under regional arrangements and by regional organizations within their respective spheres of competence in accordance with the Purposes and Principles of the Charter of the United Nations.

17. The Security Council should encourage the development of the application of peaceful settlement of local disputes with the assistance of regional organizations either on the initiative of the States concerned or on its own initiative.

18. Dispute settlement by States participating in regional organizations with the assistance of such organizations shall not affect the authority of the Security Council to investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in accordance with Article 34 of the Charter of the United Nations, or the right of any Member of the United Nations, in accordance with Article 35 of the Charter, to bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly.

19. The Security Council shall, where appropriate, make use of regional agreements or agencies for enforcement action under its guidance, but no enforcement action may be undertaken under regional arrangements or by regional agencies without authorization from the Security Council.

20. The Security Council shall always be fully informed of action taken or envisaged under regional arrangements or by regional agencies for the maintenance of international peace and security.

21. States should strengthen cooperation between the United Nations and regional organizations and should promote such cooperation by holding talks and consultations, improving the forms and methods of interaction, developing coordinated programmes and agreements and carrying out concerted action in a wide variety of spheres of human activity in order to further the socio-economic progress of peoples and enhance the level of well-being and prosperity.

22. The Secretary-General of the United Nations and the leaders of regional organizations should meet, when the need arises, to exchange information relating to local disputes and situations which may endanger international peace and security, propose joint initiatives in accordance with the provisions of the Charter of the United Nations for the purpose of settling local disputes, and also consider specific problems of the political, economic, social and cultural development of the countries in the region concerned.

23. States should actively cooperate at the regional level in combating organized crime, illicit drug trafficking, international terrorism and crimes against the safety of civil aviation and maritime navigation.

24. Regional organizations should assist the countries of their respective regions, at their request, in strengthening their security in accordance with the Purposes and Principles of the Charter.

25. Regional organizations may request the Security Council to provide guarantees of regional security.

26. Regional organizations should consider the possibility of taking steps in coordination with the United Nations, at the request of States, with a view to promoting the political, economic and social progress of the peoples of the region and the development of democratic processes in all the States of the region, helping to strengthen guarantees of human rights and the rights of national minorities, and including the regions within the sphere of application of future measures to build confidence and promote openness.

27. States should encourage regional organizations to make a greater practical contribution to eliminating hunger, illiteracy, poverty, violence, destruction, disease, political lawlessness, social alienation, economic backwardness and the adverse consequences of natural disasters and environmental accidents.

28. Regional organizations should deal, along with issues of the peaceful settlement of disputes and the maintenance of international peace and security in the respective regions, with the political, economic, environmental and humanitarian aspects of security.